

A' cont'd 19/ 16. The lithium ion secondary battery according to Claim 15 wherein the fluoride resin is polyvinylidene fluoride.

DISCUSSION OF THE AMENDMENT

New Claims 14-16 have been added, which are product-by-process claims, ultimately dependent on Claim 1, and reciting the formation of the porous adhesive resin layer, as supported, for example, in original Claims 8 and 9.

No new matter has been added by the above amendment. Claims 1-7 and 14-16 are now pending in the application. Claims 8-13 stand withdrawn from consideration.

REMARKS

The present invention is drawn to a lithium ion secondary battery, characterized by the presence of a porous adhesive resin layer which bonds a positive electrode active material layer of a positive electrode and a negative electrode active material layer of a negative electrode to a separator arranged between the positive and negative electrodes and which contains a lithium ion-containing electrolytic solution.

The rejection of Claims 1-7 under 35 U.S.C. §102(b) as anticipated by U.S. 5,512,389 to Dasgupta et al, is respectfully traversed. Dasgupta et al discloses a lithium ion secondary battery containing adhesive layers between a separator and positive and negative electrodes, respectively, except that the adhesive and separator of Dasgupta et al are different from the adhesive and separator of the presently-claimed invention. In Dasgupta et al, the separator is a solid polymer electrolyte, rather than one containing an electrolytic solution. More significantly, the adhesive layer of Dasgupta et al is a coating of a lithium ion containing

adhesive mixture. Thus, the adhesive layer of Dasgupta et al necessarily contains lithium ions, and it is clear, based on the method of processing disclosed in Dasgupta et al, that it is not porous. Applicants' preferred method of obtaining such porosity in their adhesive layer is to apply their adhesive resin in N-methylpyrrolidone followed by evaporation of said N-methylpyrrolidone resulting in the formation of a porous adhesive layer. The pores of Applicants' adhesive layer contain the electrolytic solution, but there is no mixture of electrolytic solution and the porous adhesive resin.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Verdegaal Bros. v. Union Oil Co. of California, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). See also MPEP Section 2131. Since Dasgupta et al does not disclose every limitation of the present claims, it necessarily does not anticipate the presently-claimed invention.

Nor does Dasgupta et al otherwise render the presently-claimed invention unpatentable. There is no disclosure or suggestion in Dasgupta et al to make their adhesive layer porous, or even how to make it porous, and to omit the required ionizable lithium compound therein.

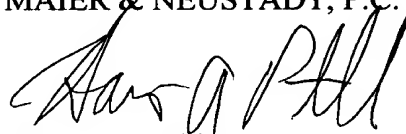
For all of the above reasons, it is respectfully requested that the rejection over Dasgupta et al be withdrawn.

All of the presently pending and active claims are now believed to be in immediate condition for allowance. Since the active claims are drawn to a product, and the non-elected claims are drawn to a process of making thereof, Applicants respectfully request the Examiner

to rejoin the process claims of even scope, and in the absence of further grounds of rejection, pass this application to Issue with all pending claims.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'Norman F. Oblon', written over the printed name.

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